

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

TRESEAN GINES,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 22-cv-840-DWD
)	
SKYJACK, INC.,)	
UNITED RENTALS (NORTH)	
AMERICA), INC.,)	
LOWE'S HOME CENTERS, LLC,)	
)	
Defendants.)	
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SKYJACK, INC.,)	
)	
Third-Party Plaintiff,)	
)	
vs.)	
)	
RELIABLE RELAMPING, INC.,)	
)	
Third-Party Defendant.)	

ORDER

DUGAN, District Judge:

Now before the Court is Third-Party Defendant Reliable Relamping Inc.'s Motion to Dismiss and for Finding of Good Faith Settlement (Doc. 103). Following a hearing, due notice having been given, and the Court being fully advised in the premises,

IT IS ORDERED THAT:

1. The Motion to Dismiss and Finding of Good Faith Settlement (Doc. 103) is
GRANTED;

2. Defendant/Third-Party Plaintiff Skyjack Inc.'s Third-Party Complaint for Contribution against Third-Party Defendant Reliable Relamping, Inc. (Doc. 73) is **DISMISSED, with prejudice**;
3. Third-Party Defendant Reliable Relamping, Inc. is **DISMISSED, with prejudice**, from this matter;
4. The Court expressly **FINDS** that the settlement between Plaintiff Tresean Gines and Third-Party Defendant Reliable Relamping, Inc. is made in good faith pursuant to the Illinois Joint Tortfeasor Contribution Act, [740 Ill. Comp. Stat. Ann. 100/0.01](#), *et seq.*; and
5. Any and all claims for contribution by any named or potential tortfeasors pursuant to the Illinois Joint Tortfeasor Contribution Act, [740 Ill. Comp. Stat. Ann. 100/0.01](#), *et seq.*, as to Third-Party Defendant Reliable Relamping, Inc. are barred.

In addition to the Motion to Dismiss, on February 17, 2023, Third-Party Plaintiff Skyjack, Inc. and Defendant Third-Party Defendant Reliable Relamping, Inc. executed a Stipulation of Dismissal (Doc. 104). [Fed. R. Civ. P. 41\(a\)\(1\)\(A\)](#) permits dismissal without a court order by two methods: (i) plaintiffs file a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or (ii) the plaintiff files a stipulation of dismissal signed by all parties who have appeared. In the instant case, Third-Party Plaintiff Skyjack, Inc. has filed a notice of dismissal signed by all third parties. Given the procedural posture of the case, this stipulation would have effected the dismissal of the case without further action from the Court. [Nat'l Inspection & Repairs,](#)

Inc. v. George S. May Int'l Co., 600 F.3d 878, 883 (7th Cir. 2010) ("Claims dismissed pursuant to Rule 41(a)(1) are complete on the dismissal without any action by the district judge."). However, in considering the above findings, the Motion to Dismiss and Stipulation effected the dismissal of this suit with prejudice. Accordingly, the Clerk of Court is **DIRECTED** to enter judgment and to close this case.

SO ORDERED.

Dated: April 13, 2023

The image shows a handwritten signature, "David W. Dugan", in black ink. The signature is written over a circular official seal. The seal features an eagle with spread wings, a shield on its chest, and a banner in its beak. The text "UNITED STATES DISTRICT COURT" is at the top and "SOUTHERN DISTRICT OF ILLINOIS" is at the bottom of the seal.

DAVID W. DUGAN
United States District Judge